



DEFINITION OF A LEADER: A leader is defined by the FCC as one who has decision making responsibilities, one in management, high level authority, etc.\*

The leader is asked these questions:

- (1) In your opinion, as a community leader, what do you think are the most pressing problems, needs, and interests in the community you serve?
- (2) Have you any additional leadership roles in the community, such as president of a civic or fraternal organization, or a board member, chairperson, etc?

Make sure you have recorded the organization and the position of the person you interviewed.

In approaching the leader for the interview, to allay their fears of being quoted or misrepresented, it is first necessary to establish your credibility and rapport with them. For example, you might begin by giving your name and position at the station. Then explain why you are calling; for instance, you might say, "One of the requirements FCC requests is that the television station ascertain from leaders in the community--leaders in all types of service to the public--what they feel are to them the two or three most pressing needs of the community." Then explain that after about 25 interviews each quarter, the problems mentioned are tabulated, and the ten most mentioned are chosen. "Then we at the station seek to have some of our programming address those needs, and thus alert the public." Then explain, "In this way we have satisfied that FCC requirement."

- \* A leader in a small community may be a Bank Vice President, but this would not necessarily be the case in a large city.

Additionally, in its 1976 ascertainment guidelines for renewal applicants, the Commission decided not to question the total number of community leader interviews which were conducted, if the licensee performed the following suggested number of interviews:

Population of City of License	Leader Interviews
Under 25,001 .....	60
25,001 to 50,000 .....	100
50,001 to 200,000 .....	140
200,001 to 500,000 .....	180
Over 500,000 .....	220

Renewal ascertainment also requires that non-exempt licensees interview leaders from each of the 19 institutions or elements found by the Commission to be present in most communities. (If any of the 19 elements are not present in your community, we recommend that you substantiate the basis of your finding when you file your renewal application with the Commission.) Within 45 days of each interview, a leader contact form (Appendix VI) is to be placed in the station's public file. Keep in mind that each interview form completed by a non-management person must be reviewed and signed by a management person. Immediately preceding the filing for renewal of license, information from leader contact forms is to be used to complete the "leader checklist" (Appendix VJ) which is to be filed with the renewal application and placed in the public file.

The general public survey may be conducted at any time during the license period. A licensee may hire a professional research service to conduct the survey or may choose to have the station's principals or employees perform this task. If non-management employees are to conduct the survey, management level employees must supervise their activities. Appendix VK contains a memorandum from the NAB's Research Department suggesting methods for conducting a random sampling of members of the general public; various questionnaires for use in surveying the general public are also suggested.

The following is an outline of the Commission's *Primer on Ascertainment of Community Problems by Broadcast Renewal Applicants* which concisely sets forth the basic requirements of that document:

#### I. General

##### A. Period and scope of community survey.

1. Survey of community leaders must be on continuing basis. General public survey can be either continuous or within some specific period during license term.
2. Primary emphasis of community leader survey on community of license, secondary emphasis outside that area. In no event is a station required to survey beyond 75 miles and it can omit communities within its service area for good reason, e.g., service provided by local stations. Survey of general public is limited to city of license.
3. Stations licensed to communities of 10,000 or less which are not part of an SMSA are exempted from all requirements of the Primer except the annual listing of problems and programs.\* (See IV of this outline.)

\* Exempt stations are still required to ascertain the problems of their service areas, but the FCC will avoid any inquiry into how these stations discerned which particular problems would be covered.

B. Purpose of survey to ascertain problems, needs, and interests of public. Also permissible to ask about programming practices, but this is not basic purpose of the survey.

C. Compositional data on city of license.

1. Stations now must have following data in their public file (which should be updated as new data becomes available):

a. Total population

b. Numbers and proportions of:

(i) Males and females

(ii) Minorities

(iii) Youths (17 and under)

(iv) Elderly (65 and older)

## II. The Community Leader Survey

A. The first nineteen institutions and elements listed below *must* be covered by community leader surveys, unless it can be shown that a category is wholly inapplicable in station's area.

1. Agriculture
2. Business
3. Charities
4. Civic, Neighborhood and Fraternal Organizations
5. Consumer Services
6. Culture
7. Education
8. Environment
9. Government (Local, County, State and Federal)
10. Labor
11. Military
12. Minority and Ethnic groups
13. Organizations of and for the Elderly
14. Organizations of and for Women
15. Organizations of and for Youth (including Children) and Students
16. Professions
17. Public Safety, Health and Welfare
18. Recreation
19. Religion
20. Other

**B. Number of leaders which should be consulted during license term to insure quantitative sufficiency of survey.**

Population of City of License	Leader Interviews
Under 25,001	60
25,001 to 50,000	100
50,001 to 200,000	140
200,001 to 500,000	180
Over 500,000	220

**C. Conducting the community leader survey.**

1. Cannot be conducted by professional research firm.
- \*2. Up to 50% of interviews may be conducted by non-management level employees under direction and supervision of principal or management level employee.
3. In addition to formal ascertainment interviews, station may take credit for interviews conducted during business meetings, luncheons, on-the-air broadcasts, and news interviews.
4. Joint consultations permitted where:
  - a. All leaders on roughly equivalent plane.
  - b. Leaders have ample opportunity to express opinions on problems, needs and interests of community.
  - c. Each licensee has opportunity to question each leader.
5. Face-to-face interviews preferred, but telephone may be used, particularly as to outlying areas, as long as no over-reliance on use of phone.

**D. Documentation of community leader interviews.**

1. Within 30-45 days of interview, station must place following report in its public file:\*
  - a. Name and address of leader.
  - b. Institution or element represented.
  - c. Date, time and place of interview.
  - d. Problems, needs or interests discussed (leader can request confidentiality of this information).
  - e. Name of interviewer (if non-management level employee, must also include name of principal or management person who reviewed the employee's report and date of review).
2. On filing for license renewal, station must submit a checklist showing number of leaders interviewed during license term in the 19 enumerated categories and the number of minorities and women interviewed.\*\*

\* See Suggested Community Leader Contact Form, Appendix VI.

\*\* See Sample Community Leader Annual Checklist, Appendix VI.

### III. General Public Survey

#### A. Conduct of public survey.

1. Must consult with random sample of public.
2. No set number or formula has been adopted by the FCC.
3. Interviews may be conducted by professional research service, principals or station employees. Non-management level employees must be supervised by superiors.

#### B. Documentation to be placed in public inspection file.

1. Description of method used to insure random sampling of general public.
2. Number of people consulted.
3. Ascertainment results of survey.

### IV. Programming

A. Station does not have to treat all problems ascertained. In selecting problems to be treated, station may consider programming of other area stations as well as its own format and audience composition.

B. Problems may be treated in programs, news and public service announcements but the latter two categories should not be used exclusively.

C. Documentation of programming efforts to meet ascertained community problems.

1. Annually, on anniversary of renewal filing date, all stations must place in public file a list of no more than ten significant problems ascertained during previous year. (Keep in mind that stations are not required to list as many as ten problems.)
2. As to each problem, licensee must list typical and illustrative *programs* broadcast in response to those problems, including title, source, type, brief description, time broadcast and duration.
3. On filing for license renewal, station must submit current annual listing of problems and programs, as well as the listings for the two previous years.

**SPECIAL NOTE:** Ongoing ascertainment should be conducted with the idea of covering at least some interviews in each of the given categories in each year rather than lump all interviews from a given segment of the community into one year. (Note by J.D.)

# BCI LEADER SAMPLE

PLEASE PRINT

L

NAME \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_  
 DATE AND LOCATION OF INTERVIEW \_\_\_\_\_  
 INTERVIEWED BY \_\_\_\_\_

ADDITIONAL LEADERSHIP POSITIONS	TAB

## COMMENTS ON PROBLEMS:

## TABULATION

- A. Education/ Schools \_\_\_\_\_
- B. State/ Local Gov. \_\_\_\_\_
- C. Fed. Gov. \_\_\_\_\_
- D. Apathy \_\_\_\_\_
- E. Growth/Pop. \_\_\_\_\_
- F. Mass Transportation \_\_\_\_\_
- G. Housing \_\_\_\_\_
- H. (Un)employment \_\_\_\_\_
- I. Crime \_\_\_\_\_
- J. Ethnic Discrimination \_\_\_\_\_
- K. Pollution/ Environment \_\_\_\_\_
- L. Broadcast Media \_\_\_\_\_
- M. Print Media \_\_\_\_\_
- N. Health Care \_\_\_\_\_
- O. Youth \_\_\_\_\_
- P. Alcohol/ Drugs \_\_\_\_\_
- Q. Cost of Living/ Inflation \_\_\_\_\_
- R. Energy/Fuel \_\_\_\_\_
- S. Senior Citizens \_\_\_\_\_
- T. Recreation \_\_\_\_\_
- U. Welfare \_\_\_\_\_
- V. Women's Rights \_\_\_\_\_
- W. Streets/ Highways \_\_\_\_\_
- X. Consumer Problems \_\_\_\_\_
- Y. Taxes \_\_\_\_\_
- Others \_\_\_\_\_

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(CONT'D ON BACK)

COMMENTS CONTINUED —

**DEMOGRAPHIC (FCC)**

\_\_\_\_\_ MALE \_\_\_\_\_ FEMALE (a)

AGE: \_\_\_\_\_ 18-34 \_\_\_\_\_ 35-49 \_\_\_\_\_ 50-64 \_\_\_\_\_ 65 plus

ETHNIC: \_\_\_\_\_ BLACK (a) \_\_\_\_\_ SPAN./SUR. (b) \_\_\_\_\_ AM. IND. (c)

\_\_\_\_\_ ORIENTAL (d) \_\_\_\_\_ OTHER

**FCC LEADERSHIP CODE:**

- |   |   |   |
|---|---|---|
| 1. Agriculture _____                        | 7. Education _____                      | 13. Orgs. of and for Elderly _____                    |
| 2. Business _____                           | 8. Environment _____                    | 14. Orgs. of and for Women _____                      |
| 3. Charities _____                          | 9. Gov't. (local, State, Federal) _____ | 15. Orgs. of and for Youth (including children) _____ |
| 4. Civic/Neighborhood/Fraternal Orgs. _____ | 10. Labor _____                         | 16. Professions _____                                 |
| 5. Consumer Services _____                  | 11. Military _____                      | 17. Public Safety, Health, Welfare _____              |
| 6. Culture _____                            | 12. Minority/Ethnic Groups _____        | 18. Recreation _____                                  |
|   |   | 19. Religion _____                                    |

**TAB**



Count  
Date

147  
06-82  
03-28-82

111

LEADERSHIP INTERVIEW  
QUOTAS

MIN. 20

3 year quota - 80-83  
From 5-80 to 4-83

Phone interviews---

PHOENIX

Category	Number of Leaders	Percent of Total	Number to Date	Need
A. Black	13		5 1111	
B. Spanish/Surnamed	23		10 1	
C. Native Amer. Indian	13		111	
D. Oriental	3			
E. Women	65		40 111	
1. Agriculture	17		1	
2. Business	23		20	
3. Charities	10		10 111	
4. Civic/Neighborhood Fraternal/ Orgs.	13		1	
5. Consumer Services	8			
6. Culture	10			
7. Education	20		12 111	
8. Environment	10		5 111	
9. Government	25		25 11	
10. Labor	10		111	
11. Military	7		1111	
12. Minority/Ethnic Orgs.	15		12	
13. Elderly Orgs.	10		15	
14. Womens' Orgs.	12		10 1	
15. Youth Orgs.	13		20 11	
16. Professions	18		15 111	
17. Public Safety, Health and Welfare	12		15	
18. Recreation	10		5 1	
19. Religion	12		5 11	
20. Other	0		1	

Keep running total to date.

**IV** 1. Rep. running oral to problems commenced on.  
 tabulation of Community Problems - June 1, 1981 to May 31, 1982

EDUCATION/SCHOOLS		
GOVERNMENT		Every 10 <sup>th</sup> time I bring the
APATHY		Number over →
GROWTH/POPULATION		and start adding it
TRANSPORTATION		← up again from the left
HOUSING		after raising initial 10%
UNEMPLOYMENT		
CRIME		Next time will make this 20
ETHNIC DISCRIMINATION		
POLLUTION/ENVIRONMENT		
BROADCAST MEDIA		
PRINT MEDIA		
HEALTH CARE		
YOUTH		
ALCOHOL/DRUGS		
COST OF LIVING/INFLATION		
ENERGY/FUEL		
SENIOR CITIZENS		
RECREATION		
WELFARE		
WOMENS RIGHTS		
STREETS/HIWAYS		
CONSUMER PROBLEMS		
TAXES		
HANDICAPPED		
FLOOD CONTROL/BRIDGES		
WATER		
FAMILIES		
OTHER		

## ASCERTAINMENT CHECKLIST

Interviews may or may not require an appointment. Please have leader initial some part of the form as an indication that the interview took place in person.

Check to make sure each portion of the form is complete!

1. Is the leader's organization listed?
2. Other leadership in surrounding communities?
3. Is the back of the form complete?
4. Tabulations completed by person conducting the interview?
5. Address complete including zip code and phone number?

If the tabulation is to be done by computer, the last two digits of the zip code must appear in the upper right hand corner. Each form must have at least one category A through Y checked and "other" must specify what "other" is. Example:

- (1) Family problems
- (2) Moral decay, etc.

## JOB DESCRIPTION

## PUBLIC AFFAIRS DEPARTMENT

**LAW**IT  
IS

FEBRUARY 15, 1984

certainment of community needs as outlined in the Memorandum  
in and Order from the FCC describing deregulation, through  
sp uses from viewer mail, counseling phone calls, phone inter-  
ews with minority grass roots organizations, various civic  
aders and organizations by phone, from newspapers and other  
di .

om the ascertainment list of the most important issues will  
d rived a list which may consist of fifteen issues or more.  
es issues must be addressed in some of our program formats.

e dissemination of the list in an ongoing manner to the pro-  
am Director and other program producers so that at least  
ve to ten issues may be addressed through programming in each  
arter.

li : of five to ten programs aired must be placed in the Pub-  
c File explaining how each issue was addressed on January 1,  
ri' 1, July 1 and October 1. Any corrections may be done  
fo : the 10th and the corrected version placed in the file  
the 10th.

ce e from the counseling department needed information from  
one and mail viewer responses.

he above job description is not intended to be all in-  
sive, but general. Each station will of necessity have its  
peculiar requirements as directed by the station manager.

is wholly instruc-  
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ed with the Com-

**consulted?**

mercial educational  
ertainment survey  
is-section of those  
ity of your service  
by interviews with-  
ements commonly  
ure; (2) Business;  
od and Fraternal  
ces; (6) Culture;  
(9) Government  
10) Labor; (11)  
Groups; (13) Or-  
14) Organizations  
is of and for youth

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(including children) and students; (16) Professions; (17) Public Safety, health and welfare; (18) Recreation; (19) Religion; and (20) Others. If one of these elements is not found in a community, you obviously are not required to talk to their leaders. You should include a memo to the file in your ascertainment file indicating that you made an attempt to locate such a group, but have been unsuccessful in doing so.

#### **How many community leaders should be consulted by stations required to make the formal ascertainment surveys?**

A — Several years ago the Commission had a policy (which incidentally has not been changed) whereby the minimum number of interviews was sixty for a station in a community of between 10,000 and 25,000 and 220 in communities of more than 500,000 people. Recently, however, the Commission has taken a very relaxed view of this policy and has simply required stations to establish a reasonable number of interviews to determine the needs and interests of the community during the license period. The same holds true for noncommercial stations.

#### **Who can conduct these community leader survey interviews?**

Under the present guidelines, up to 50% of the community leader surveys may be made by non-management level employees, provided their efforts are closely supervised by a principal or management-level employee. Note that only employees are allowed to do this . . . not volunteers or professional research firms. This is true for both non-commercial stations and commercial TV stations.

#### **How may these community leader interviews be conducted?**

A — The Commission has provided for a variety of techniques such as individual business meetings, community leader luncheons, joint consultations, on-the-air broadcasts and even news interview programs. Again, the Commission leaves it up to the station licensee to determine how best to make these ascertainment surveys. This holds true for noncommercial stations also.

### **GENERAL PUBLIC SURVEY**

#### **With which members of the general public should consultations be held?**

A — A random sample of members of the general public should be consulted. Most stations simply call random names from a telephone book in their community to make the surveys. The Commission has approved that method for many years. With regard to noncommercial TV stations, general public surveys are afforded greater flexibility here. Call-in programs, public meetings or a combination of the two are sample methods in addition to the traditional telephone sampling technique.

#### **Who should consult with members of the general public in making this ascertainment survey?**

A — Anyone at the station or a professional research firm can make this survey. This is also true for non-commercial stations.

#### **What documentation is required to be placed in the station's Public Inspection File regarding community leader interviews?**

A — For both commercial TV and noncommercial stations, within a reasonable time after completion of an interview (30 to 45 days), the licensee should place in the Public File information identifying:

- (a) The name and address of community leader consulted;
- (b) Institution or element in the communities represented; (one of the twenty categories mentioned above)
- (c) The date, time and place of the interview;
- (d) Problems, needs or interests discussed during the interview;
- (e) Name of licensee representative conducting the interview; and
- (f) Where a non-manager performed the interview, the name of the principal or management level employee who reviewed the complete interview record.

#### **What documentation concerning the General Public Survey is required?**

A — Again, the same information holds true for non-commercial stations as well as commercial TV stations. Each licensee must place in the station's Public Inspection File a narrative statement concerning the method used to conduct the general public survey, the number of people consulted and the ascertainment results of the survey within a reasonable time of the interview.

#### **What is this "Issue/Programs or Problems/Programs" list that must be placed in the station's Public Inspection File each year?**

A — Every station, both commercial and noncommercial, radio and TV, whether or not you are required to make formal ascertainment surveys as is discussed here, must place in its Public Inspection File on the anniversary date each year of the filing of your License Renewal Application a list of not more than 10 of the "Issues" (problems) that you have determined to be of significant interest in your community during the past year. In addition, you must place a list of not more than ten programs that you have broadcast in an effort to address some of these problems that you have determined. A typical "Issue/program" list appears partially below. There is no formal form or procedure required by the FCC. All that they require is that it be inserted in the station's Public File once a year.

## RENEWAL OBLIGATIONS

**Now that the FCC has changed over to the postcard renewal and eliminated the "guidelines" for percentages of program time, what should I as a station licensee be doing to protect myself during each license renewal period?**

A — Several years ago, the FCC had a "processing guideline" which, for all practical purposes, discouraged radio stations from allowing more than 18 minutes (or in the case of political advertising, 20 minutes) per hour of commercial advertising. Further, the guidelines required AM and FM stations to broadcast at least 8% or more of their programming in news, public affairs and other nonentertainment type programs. Those requirements have all been eliminated, and the Commission leaves it up to the licensee to determine what is in the best interest of his community. While that might seem like a license for a big electronic jukebox, that isn't necessarily the case. Several months ago, an administrative law judge who had heard a hearing involving several applicants, one of whom was an existing broadcast licensee who had applied for an FM station in their community to go with his AM station, ruled against the existing licensee for, among other things, that the programming and general operation of the station had not been in the public interest, since there had been no news, public affairs, or even public service announcements broadcast over the station. In essence, the station was operated like a big automated jukebox. The judge indicated that that was not the intent of the Communications Act, and as such, gave the grant to one of the competing applicants. You never know when the material you broadcast will come back to help you or haunt you. Incidentally, a recent national survey of more than 3,000 radio stations indicated that the average amount of commercial time broadcast in each hour of operation is under 11 minutes. So, elimination of the Commission's guidelines really has not affected broadcasters that much.

**You haven't answered the question yet. Let me ask it another way. What will the Commission look for in my station should I be inspected with regard to the nontechnical aspects of station operation?**

A — The FCC's Enforcement Division indicated that they would look at the overall station operation (exclusive of technical aspects) including activities within the community, local participation in civic events, on the job training given to minorities and youth, participation in college "practicum" programs, scholarships given to area students, and in general, local involvement within the community. There could be very serious problems if the FCC simply restricted their review to

programming, since it is arguable that this is a First Amendment (Freedom of Speech) protected area. Thus, the Commission indicated that they will look at the overall operation of the station. They indicated that would include the broadcast of news, public affairs, political, educational, and other kinds of programs, in addition to just playing of records. They also indicated that the same basic review would hold true for noncommercial broadcast stations and commercial TV stations also. That is, they would look at the overall operation of the stations and not just the programming portion, even though commercial TV stations are held to more stringent guidelines than are commercial radio stations, simply because of their higher "visibility" in the community.

**Since I already have my license renewal and it's good for seven years, why can't I just "coast" for the next several years before it comes around again?**

A — You could! But you'd take a big chance on a collateral attack by a potential competitor at your next license renewal. If they can show that you've had a history of non-public interest activities, you would stand a good chance of losing your license. Not only that, you stand a good chance during the license renewal period of encountering numerous complaints by members of the general public if your station operation is a sloppy one, which could result in an FCC investigation and possible hearing. While the chance is remote, it is always a possibility.

**We are a commercial TV station and I am wondering what programming guidelines we must follow at the present time, if any?**

A — The guidelines for TV stations really haven't changed in many years. The Commission essentially limits TV stations to no more than 16 minutes of commercial time in each hour time slot. There is some allowance, of course, for a high demand for political advertising and the Commission provides for exceptions permitting in excess of 20 minutes of commercial matter per hour during 10% or less of the station's total weekly hours of operation. Further, commercial TV stations, except those UHF stations not affiliated with major networks, must have a minimum of the following percentages in the following categories to be held to be operating in the public interest: 5% total local programming, 5% informational (news plus public affairs) programming, and 10% total nonentertainment programming. Again, the Commission, while not in the programming business, does review on a spot-check basis the operation of commercial TV stations to these guidelines (FCC Rule 0.281).

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VOLUME 14 NUMBER 14

JULY 15, 1984

**DEREGULATION IN REVIEW**

(Recently, the FCC deregulated commercial television and noncommercial broadcast stations along the same lines as its earlier deregulation of commercial radio stations. Here is a brief review of these changes. Ed.)

**COMMERCIAL TELEVISION STATIONS****BEFORE****AFTER****PROGRAMMING GUIDELINES**

Commercial VHF TV stations and UHF network affiliated TV stations were required to provide at least 5% total local programming, 5% news and public affairs programming, and 10% total nonentertainment type programming at a minimum in their programming schedule.

The FCC has ~~deleted~~ those minimum requirements as to the programming guidelines. It is up to you to determine the amounts of time and percentages devoted to the various classifications. Keep in mind, however, that commercial TV licensees will continue to remain subject to the obligation to provide responsive programming to important issues facing the community. One other interesting point under the new rules is that you are now allowed to look to the programming of other TV stations in the community, both commercial and noncommercial, in determining which issues you will address in your programming efforts.

**ASCERTAINMENT**

Commercial TV stations were required to interview a minimum number of community leaders (depending upon the city of license size) and in addition to interview members of the general public at random, generally by telephone. The procedures for these interviews were formal and fairly restricted. The results of the interviews were tabulated by the licensee and used to determine programming by the station to help meet the needs determined by these surveys of the community.

Formal ascertainment surveys are no longer required of commercial TV stations. All licensees are still under an obligation to ascertain the needs and interests of their community and to provide programming responsive to those needs, but the FCC now leaves it up to the individual station to determine how best to ascertain these community needs and interests. The part that the FCC has eliminated is the formality and the minimum number of interviews. Anyone at the station can participate in the ascertainment and programming decisions based upon the policy of the licensee under the new rules. In short, you still must do ascertainment to determine the needs and interests of the community, but it is now up to you to determine how you do it.

**COMMERCIAL LEVEL**

Commercial TV stations were normally restricted to 16 minutes of commercial matter per hour with certain exceptions for political advertisements in which case up to 20 minutes per hour for less than 10% of the total weekly hours was permitted.

The Commission has dropped any consideration of commercial levels for TV stations. The Commission has decided to depend upon marketplace forces to determine the appropriate levels rather than to dictate them by its Rules. Therefore, the FCC will no longer consider

## BEFORE

## AFTER

claims of overcommercialization in processing uncontested renewal applications, nor will it entertain Petitions to Deny based upon allegations of high commercial levels. One interesting effect this will have on TV stations is that by deleting the commercial guidelines, the Commission also rescinded the ban on program-length commercials. This makes way for programs such as "Great Moments of Music," "Reading Dynamics," "Chinchilla Ranching," etc. available for broadcast that have been forbidden for many years.

## ISSUES/PROGRAMS LIST

Stations were required to place listings of no more than ten significant problems and needs of the area served by the station once a year in the station's Public File. In addition, these annual lists were to include typical programs that were broadcast in the previous 12 month period to help meet those needs. These lists were based upon information obtained in the formal ascertainment surveys performed by station management and other station personnel.

The Commission has decided to require a *Quarterly Issues/Programs List* (the same list that is now required of commercial radio licensees) to be placed in your station's Public File. This list will contain at least 5 to 10 issues on which your station has broadcast responsive programs during the past three month period. It should also include a brief statement on programs broadcast to treat each issue that you address. The Quarterly Issues/Programs List is very important since the Commission decided that this is one of the best methods by which your station can prove its programming obligations. Make sure a new Issues/Programs List is placed in your Public File each *January First, April First, July First, and October First*. The List should be retained in your file for the entire five year license renewal period.

## LICENSE RENEWAL APPLICATION

Some TV stations were randomly selected to complete a long form audit type renewal application at renewal time.

The Commission has eliminated the long form renewal audit, FCC Form 303-C for commercial TV licensees. All TV stations will now use the same "short form" renewal used by radio stations — FCC Form 303-R.

## STATION LOGS

While TV stations have not been required for several months to keep maintenance and transmitter logs, they have been required to keep very stringently controlled programming logs. These programming logs were very specific in the information required and in the methods of completing them.

The FCC has eliminated the formal requirement for all TV station logs including program logs. It is now left to the licensee to determine the method by which programs and commercials are "tracked". (Most TV stations will probably want to continue the present logging requirements as a station policy, even though not required by the FCC, since the staff has become accustomed to dealing with same. This has been the case in the past with commercial radio stations that also no longer are required to keep formal program logs).

NONCOMMERCIAL RADIO AND TV STATIONS  
PROGRAMMING OBLIGATIONS

Commercial educational stations have always had wide discretion in the programs they broadcast. There were no restrictions on time to be allocated to different classes of programs such as public affairs, news, instructional, etc. The FCC generally left that up to the licensee. However, the FCC has always prohibited NCE sta-

The FCC did not change any programming obligations of non-commercial stations. However, the Commission emphasized that noncommercial broadcasters should reflect their "special status" by providing communities with significant alternatives to the programming of commercial stations.

NO change for  
TBN



**BEFORE**

tions from broadcasting commercial messages other than certain donor announcements and announcements related to grants made by commercial institutions to the station.

**AFTER****ASCERTAINMENT**

Noncommercial stations were required to do a formal survey each year of community leaders and members of the general public. The results of these interviews were to be tabulated and reviewed by station management to help them determine programming proposals to help meet and comply with the community needs and interests.

As was the case with commercial TV licenses, the FCC has eliminated the formal ascertainment requirements for all noncommercial broadcast stations. The key issue again is a station's responsiveness to the needs of the community. This gives noncommercial stations wide discretion in determining how the community's needs are met by your station's programming. In short, how you determine your programming to meet the needs and interests of the community is up to you. There is no longer a formal ascertainment procedure for you to follow. (Although you may wish to continue the same efforts as in the past, it simply isn't required).

**ISSUES/PROGRAMS LIST**

All noncommercial stations, both radio and TV, are required to place a list of up to ten of the most significant problems facing the community that resulted from its ascertainment efforts. In addition, it was to include a list of programs that were broadcast during the preceding twelve-month period to help meet those needs and interests. This filing was an annual one placed in the station's Public Inspection File on the anniversary date of the filing of that station's license renewal application each year.

Consistent with the "special status" of noncommercial broadcasting stations, the Commission did not change the basic substance of the Issues/Programs list. You are still required to list at least five to ten issues for which you have broadcast responsive programs in the previous 3 month period, as well as a statement of how each issue was treated by that program. You now must place these Issues/Programs Lists in your station's Public File on a quarterly basis the same as the commercial TV previously mentioned. That is, place it in your file on January 1st, April 1st, July 1st and October 1st of each year. The requirements are the same for commercial radio, commercial TV and all noncommercial stations.

**LOGGING REQUIREMENTS**

Several months ago, the FCC deleted the requirement for maintenance and transmitter logs for noncommercial stations including noncommercial TV stations. However, all noncommercial stations were required to keep fairly formal program logs listing the class, time, date, etc. of each program that was broadcast over the noncommercial station. Operators were required to sign on and sign off of the program log in a formal rigid manner.

All requirements for program logs, maintenance logs and transmitter logs have been eliminated. It is now up to the individual station licensee to determine how to keep track of the various programs that are broadcast as well as complying with the technical requirements of the Commission's Rules. As a practical matter, most stations will continue to keep logs as in the past, although it is not required.

**RENEWAL APPLICATIONS**

Some noncommercial stations have been chosen at random as was the case of commercial TV stations to complete the long form audit of its station's operations at license renewal time. This required considerable time and effort to complete.

Consistent with its other actions, the Commission has eliminated the existing long form audit renewal application, Form 303-N. However, the Field Operations Bureau of the FCC will conduct random technical inspections of noncommercial stations as well as check the Public File for compliance with all existing FCC Rules and Regulations.

**MANAGEMENT — BMI MUSIC LICENSE CONTRACT**

I've just received the new BMI contract, and it looks like they have really raised the rates on us this time. I thought there were negotiations going on. Should I sign the agreement, or should I wait and see what happens?

A — Negotiations between Broadcast Music, Inc. (BMI) and the All-Industry Radio Music License Committee have collapsed. Thus, BMI decided to send its new form of license agreement on to you, which is for a term of 4 years. The real question here is, what would happen if you did not sign the agreement? Basically, if you are still playing BMI music and have not reached an agreement with that organization, you may be in violation of the copyright laws. You may have received a telegram from the All-Industry Committee advising you to go ahead and sign the contract. The question then becomes should I sign the BMI agreement and return it or what should I do at this time? The All-Industry Radio Music License Committee advises that the contract be signed and returned, but be accompanied by a letter of protest — protesting the rate increase (about 18%), protesting the "rush" act on the contract, and most importantly, protesting that the contract is a BMI product and not that of a combined industry/BMI effort. If you don't sign the agreement and return it, including these protests, you could be sued for playing BMI music on your station, since you would be violating their copyright protection. As negotiations continue in this matter, follow this newsletter for more detailed information.

**MANAGEMENT —****NON-COMMERCIAL BROADCAST EDITORIALS**

We are a non-commercial radio station that receives federal funds. I was excited to hear about the deregulation, and I also heard news of a restriction on editorializing being lifted. Any truth to that?

A — YES . . . the Supreme Court recently decided that public radio and television stations that receive federal funds may now editorialize. The federal law which prohibited your station from editorializing was ruled in violation of the First Amendment in a challenge brought by the Pacifica Foundation.

Besides the new freedom to editorialize, could there be more changes in the near future?

A — YES . . . the FCC has already issued a notice of inquiry into the repeal of the Fairness Doctrine, and sources at the Commission state that this latest Supreme Court opinion and its footnotes will strengthen the FCC's argument to do away with or modify its personal attack and political editorializing rules in addition to

its chiseling away at the basis for the Fairness Doctrine

**TECHNICAL/AM CARRIER SIGNAL**

I know that carrier signals on AM stations have been used for such things as utility load management and remote control functions in the past. But I heard there were some new changes in the rules. Am I correct?

A — YES . . . the Commission has expanded the uses which are permitted for the carrier signal of AM radio stations. You may now use your carrier signal for any broadcast or non-broadcast function that does not interfere with your main broadcast channel operation or the signals of other broadcast stations.

Does this mean I can use it even when my main channel is not in operation?

A — NO . . . the use of the AM carrier signal will be limited to those hours which you are authorized to operate your main channel. However, you may provide carrier service during the hours when your station is not providing an audio service, but when you are authorized to operate. The Commission has decided to give you a wide latitude in the types of services you can provide, as well as a great deal of technical flexibility in the way you can provide those services, without diminishing your main service as an AM broadcaster.

We've just started operating in stereo. My engineer tells me that there could be some problems if we decide to offer such carrier services. What should we do?

A — The Commission realized that there may be certain compatibility problems when using AM carrier signals during AM stereo operations. Nevertheless, it stated that the potential problems were not severe enough to cause a delay in authorizing these additional uses for AM carrier signals or even to require protection of the pilot tones of all AM stereo systems.

What about non-broadcast uses? Are there special steps we will have to take with regard to this?

A — YES . . . you must first determine whether the service you are going to offer constitutes private or common carrier use under the particular statutes and case law as it applies to your situation. For instance, once you have determined that the service you are offering is common carriage, you would seek authorization from the Common Carrier Bureau and your state commission as needed. If you wish to provide private services, you would notify the Private Radio Bureau. If you would like additional information on these rule changes, contact Scott Roberts at the FCC at 1-202-632-6302

## ASCERTAINMENT/QUARTERLY REPORT

(Figure 1) Ascertainment will be done by the public affairs department, volunteers and any staff member. The requirements have been relaxed in this regard, however for our records special forms will be used for reference and kept in the general file of the public affairs department. The ascertained needs of the community as per the flow chart indicate how these may be obtained. The ascertainment will be obtained and tabulated in an ongoing manner (see chart figure 2a).

The list of from ten to fifteen issues will need to be updated periodically at least every month. In this way the fresh list will be passed on to the programming department who in turn will provide the information to all producers of programs (i.e. PTL, local PTL, JOY, RICHARD HOGUE, DR. WHITAKER and others). The affiliates will receive the list from the public affairs department.

(Figure 4a) Continuity will report weekly the programs in which issues on the list are discussed. The report will list 1) the problem that was dealt with; 2) the name of the program; 3) who the persons were in the discussion; 4) how the problem was treated in the program.

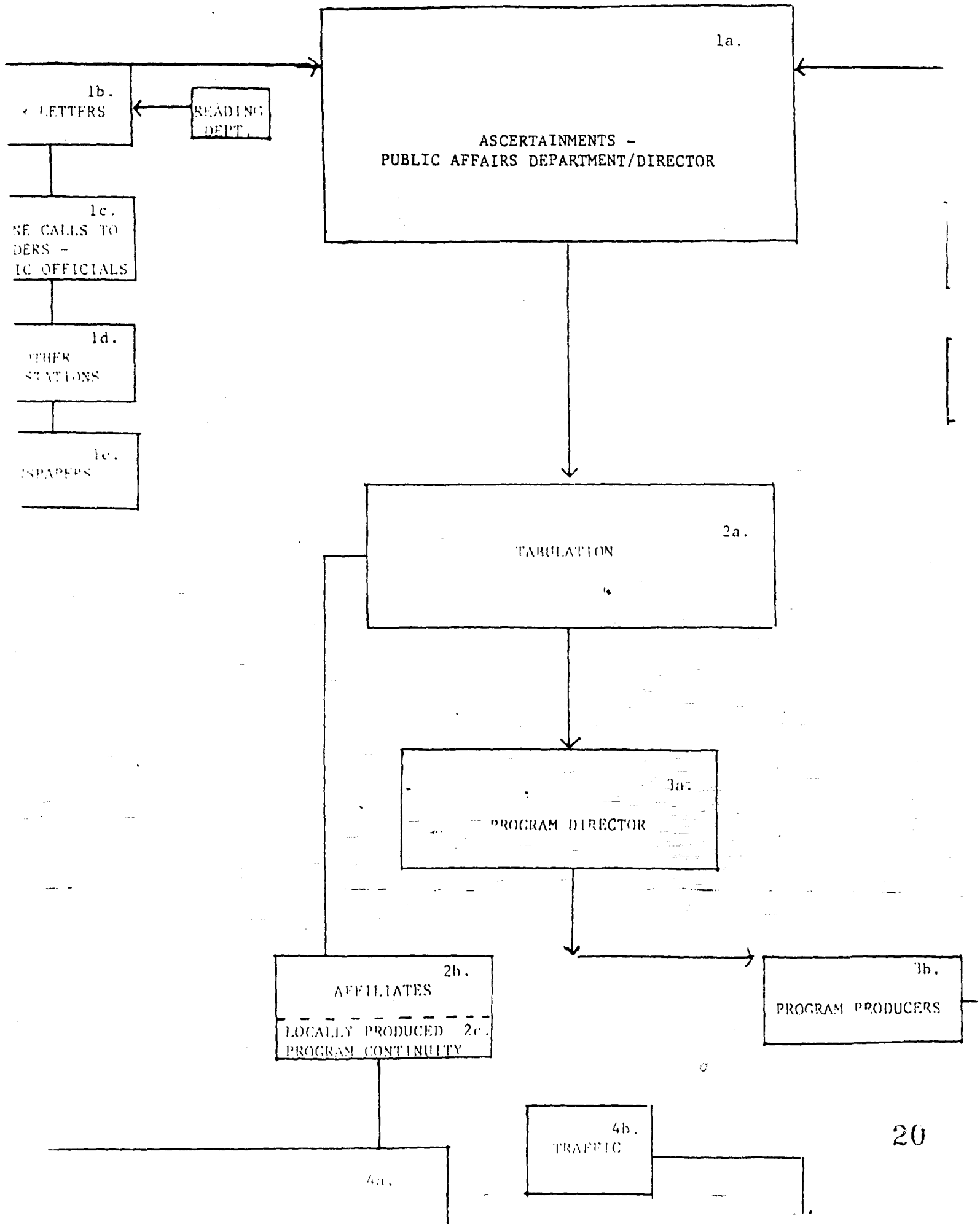
(Figure 5a) At the end of the quarter the best programs will be selected by the public affairs department from the weekly reports submitted by continuity and the traffic information i.e. the times the program aired live and all rerun times and the duration as well as the type (local or network) and the classification (R/PA, R/I, etc.) will be inserted.

(Figure 4b) Traffic will provide all times programs aired live and times of reruns as well as the duration of programs for the

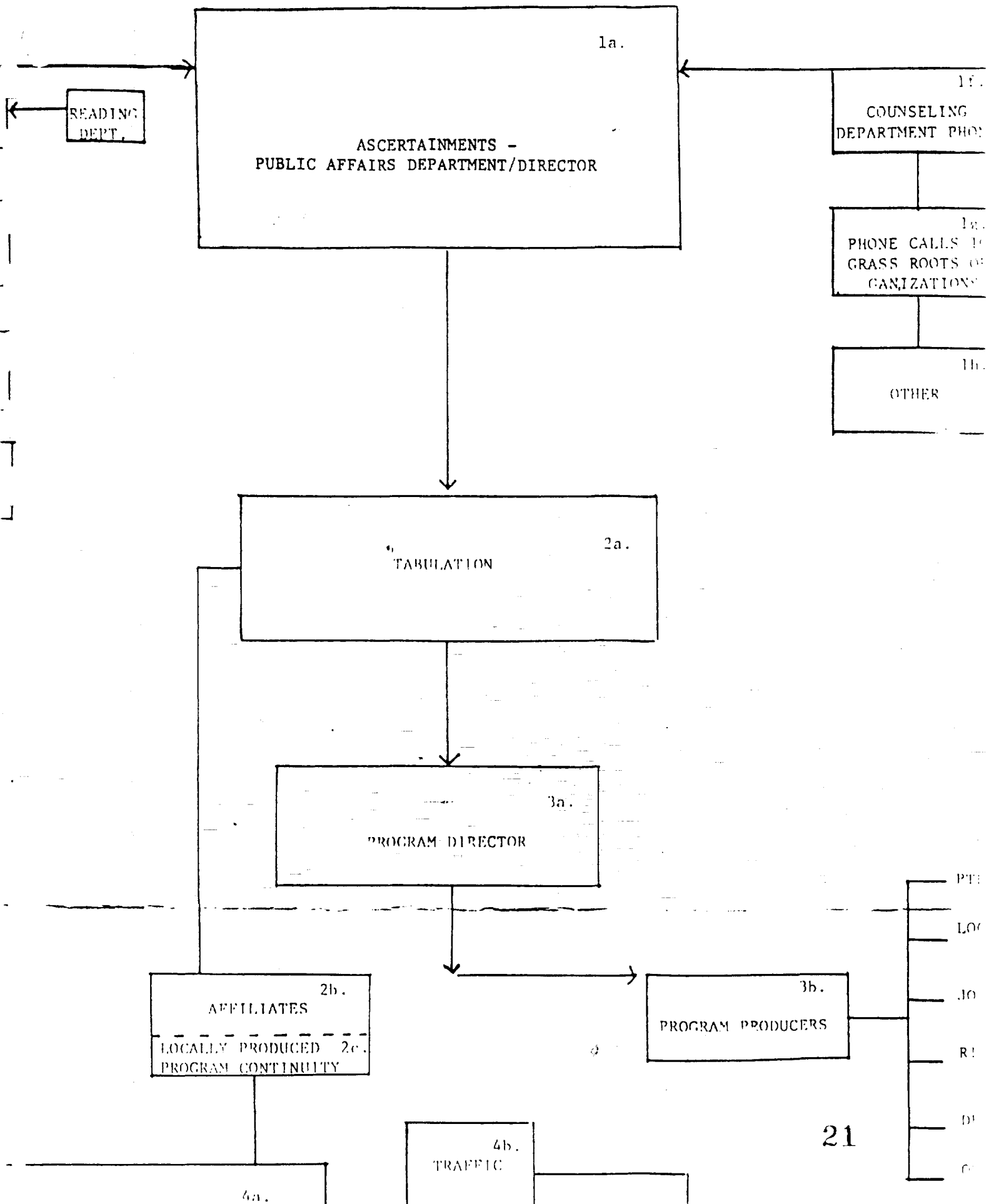
Quarterly Report. This information will be needed by December 15th, March 20, June 20 and September 20.

(Figure 2c) Locally produced continuity will be sent to the headquarter's continuity department for the inclusion of any program that aired on the network. Local PTL will be retained by the affiliates for use in the local quarterly report.

(Figure 5b) The report will be placed in the Public File on the due date and will be available for public inspection.



FLOW CHART



## ASCERTAINMENTS AND TABULATION

FCC Rules state that a television station is to establish a method for ascertaining the top community problems by using its good faith judgment as to how to determine the needs of the community. Therefore the following method will be used:

1. Telephone interviews with 25 leaders of the community during the quarter. See the TBN manual for Leadership Ascertainment, Section II.
2. Fair sampling of two local daily newspapers and at least one national magazine along with a Christian magazine. Scan for the top concerns of those periodicals. Under the printed media could also be included reports from national conferences on important problems.
3. Television is another source. Seek to hear on the various networks what is being reported as major concerns. Other station personnel could help in this area; a short memo for backup should be given along with a sentence summary of the program.
4. TBN viewer responses by telephone (25 during the quarter).
5. TBN viewer responses by letter (25 during the quarter).
6. Care needs to be taken in choosing leaders to be interviewed. On the back of the "Leadership Form" nineteen categories are listed. Mr Colby May, the TBN Attorney, comments on this matter:

For example, in the first quarter of 1986 you may have contacted only 11 of the old 19 leader categories, and then in the second quarter you contacted leaders in only 9 of the old categories. Just make sure that in the second quarter some new leader categories were included, and then in the third quarter make sure that any leader category which has not yet been covered is then contacted. This will ensure that a complete leader sampling is obtained every 9 months or so.

and concerning back-up material, Mr. May writes:

Secondly, also concerning the "tabulation of ascertainments" for each of the categories, "printed media, newspapers, magazines and conferences," "TV," "TBN viewer's letters," and "TBN viewer responses via telephone," make sure that the underlying materials which were used in each of those categories are kept in

**ASCERTAINMENTS AND TABULATION**  
**PAGE 2**

a backup file so that it is possible to retrace the actual source material which was used when compiling the significance or weighting of each of the problems you decided to address during that quarter. For example, in the "printed media, newspapers, magazines and conferences" category there are markings appearing in virtually all of the problem areas. You should be able to go back to the source material and pull out, for example, the five source references which are noted in the "abortion" category, the four source materials in the "child abuse" category, etc.

Thirdly, it would be a good idea to also include in that backup material a list of the individuals who are responsible for gathering the underlying source material used to determine the weighting of the various problems/issues. ...It is the responsibility of middle and upper management to periodically bring in copies of articles from magazines, newspapers, newsletters, etc. which focus on problems in the service area. Then the Public Affairs Director periodically sifts through and collates that material. ...Such a procedure should be maintained with the backup source files.



**B**

